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A

REVIEW OF THE STATE OF THE BRITISH NATION.

Tuesday, February 21. 1710.

I Am now to examine a new *High-Church Fangle*— A pretty, morty, modern Distinction, which is put upon the World in Dr. Sacheverell's late Answer to the Impeachment of the House of Commons, (*Viz.*) That the late *Act to exempt Dissenters from the Penalty of certain Laws, is not a Toleration.*

The Use the Doctor has made of this, you all know, is to excuse himself in all his Excursions against the Toleration, which, he says, is not meddling with any of the Laws, for the Law gives an Exemption it is true, but not a Toleration— And therefore he says, he expressed him-

self to have approv'd the *Act of Exemption*, but he, rages against a *Toleration*, as what merits all the hard Things he has said of it.

Indeed I cannot call this a *Jesuitical Evasion*, for it exceeds all that I have met with of that Kind, and the more, in that he could have the Impudence to offer this *Game at Doubles* to the Parliament of Britain: However, because this Delusion begins to spread, and the Brethren of the Party begin to explain themselves upon this Nicety, I cannot but strip naked this Image, and give you a short View of the two Sides of the Argument, whereby

Whereby the Identity of the Meaning
will effectually appear.

The Title of the Act, 'tis acknowledg'd, is thus, *An Act exempting their Majesties Protestant Subjects dissenting from the Church of England from the Penalty of certain Laws.* And it is true, there is no Act of Parliament in Force at this Time in Britain, literally Entitled, *An Act for tolerating the Dissenters* — But let us examine Particulars a little.

Dr. Sacheverell in his Sermon calls it the INDULGENCE granted them by Act of Parliament, and perhaps it might be difficult for the *Doctor* to shew the Specific Difference between Indulging and Tolerating — And with Submission to the *Doctor*, I think, his Word INDULGENCE is more extensive in Favour of the Argument, than the Word Toleration; for to indulge, signifies more tenderly and with more Kindness to allow a Thing, than meerly to tolerate; n.y., to indulge in a Thing, may be extended to a giving Leave and allowing it, whereas to tolerate, is only to bear with something irksome and disturbing — Thus the *Doctor* grants, what he denies is the very Act of Denial; but that by the by.

But shall we come to the Act it self — And searching the Body of it, without much Enquiry, we shall find Evidence against the *Doctor*, sufficient to overthrow his Distinction — and I'll very frankly submit to the most critical Construction of the Word Toleration: The Act obliges the *Dissenters*, when they design to open a Meeting-House, to certifie the same to some of her Majesty's Justices of the Peace, in which Case the said Justice or Justices may tender the Oaths to the Preacher, to the Person who owns the House, and, as some say, to every Hearer.

And here, for the Instruction of some who mistake this Obligation of certifying, &c. to the Justices, as if

it lay in the Breast of the Justice to hinder or prevent the Opening such Meeting-houses, I presume to observe; There is no such Thing in the Act, as the Justices licensing a Meeting-house — I have nothing to do but tell his Worship, that I intend to hold a Meeting in such a House for Religious Worship, &c. and that I am ready to take the Oaths as the Law directs, if his Worship demands it — and without so much as asking his Consent, or indeed staying for any Answer; I will go away and hold my Meeting — let him disturb it at his Peril — This I know, some *Dissenters* have been mistaken in, and have amis'd themselves with Notions, that they must have the Justices License to open a Meeting-house; but of this by its self.

But to return to the *Act of Toleration*, as we call it, or Indulgence as the *Doctor* calls it — The Act, as I have said, obliging the Person designing to open a Meeting-houle to certifie, &c. to the Justice of the Peace, has afterwards these Words in it, *Provided always, and be it farther Enacted by the Authority aforesaid — That no Congregation or Assembly for Religious Worship shall be PERMITTED or ALLOWED, (mark the Words) until the Place of such Meeting shall be certify'd as aforesaid, &c.*

Now here is *Indulge*, a Word given it by the *Doctor* himself; here is *permit* and *allow* given it by the Act, and here is *Toleration* given it by the Impeachment; if to indulge, permit, and allow, are nor, all put together, Synonymous to tolerate, I would humbly desire the *Doctor* to give us the Difference — and if they are equivalent, then I think, the Distinction falls to the Ground; I know, Mr. Norris dwells long on this Distinction, with

with Respect to the Difference of being exempted from the Penalty, and acquitted of the Obligation, and he has with a mighty forward Warmth in his own Praises told us, the Argument shall not lose by his Management; See his Charge of Schism continu'd, *Pag. 23, 24.*— But he is so well handled in that Arrogance, and his Argument so well answer'd by the Reverend and Learned Mr. Tongue, that I am perswaded, Mr. Norris has too much Modesty not to blush at himself, when he reads it. *Vide Mr. Tongue's Defence of Mr. Henry's Enquiry into the Nature of Schism,* p. 60, 61. And after so good an Answer to it, I shall not have so little Modesty as to say any thing, but refer the Reader to the Book.

I might bring her Majesty for the next Authority, and quote the several Speeches from the Throne, wherein the Q U E E N, to ease the Minds of her People, has frequently assur'd them of maintaining I N V I O L A B L Y the Toleration. The Doctor, I presume, will not question, whether her Majesty meant there the Act of Exemption, &c, or no— Since it is evident, there is no other Law which can be imagin'd to contain any thing like a Toleration.

Again, in the Prince of Orange's Declaration, it is call'd a Liberty; what the Difference can be between giving a Liberty and Tolerating, remains for the Doctor to make out.

In short, this seems to me to be a Distinction with no Manner of Weight in it, and brought purely to cavil at the Word—It is evident, the whole Nation call that Act, *the Act of Toleration*, it has been call'd so a thousand Times in the very Parliament it self— And when we speak of the *Dissenters* being tolerated, we mean no other Toleration than is contain'd in the Provisos of that Law; and how the Doctor can propose so mean a Shift, so weak a Distinction as this to explain himself by, I know not how, without Machiavel, to reconcile; I hope, he will farther explain his Explanation.

In the mean time, I hope, all the rest of the Nation knows what they mean by Toleration; and as by the Laws of England, even the Synod, the Convocation, or the Bishops can make no Canons or Laws, no not binding their own Church-men even in Matters Ecclesiastical, much less to bind Lay-men without the Parliament, so we doubt not, but when these Church-men take upon them to destroy Laws already made, and deliver over their Fellow-Subjects, over whom they have no Authority, to the Devil: They shall be answerable to the Parliament, and the Parliament will, we hope, fix and declare their own Right of taking Cognizance, judging, and censuring even Clergy-men for their Exorbitances; which, if they have a Right to make Laws, binding the whole Church, no Man can deny them a Right of judging the particular Members.

MISCELLANEA.

I Have, in a few Words in my last, mention'd the Opposition made to a Bill depending in the *House of Commons*, for the preserving the Property of the Copies of Books to the rightful Owners

of them; since which I have heard of Petitions presented or to be presented to the *House* against them; what they may say in particular which are deliver'd in, I take no Notice of here; but one, of which